

REMARKS

The Office examined claims 1-11 and rejected same. With this paper, claims 1-11 remain pending in the application, but are amended as above.

Rejections under 35 USC §101 and §112, second paragraph

At pages 2-4 of the Office action, claims 1-11 are rejected under 35 USC §101 and §112, second paragraph. With this paper, the claims are changed in a way believed to obviate the grounds for rejection. Accordingly, applicant respectfully requests that the rejections under 35 USC §101 and §112, second paragraph be reconsidered and withdrawn.

Rejections under 35 USC §103

At page 5 of the Office action, claims 1-8 and 11 are rejected under 35 USC §103 as being unpatentable over 3GPP TS 33.203 in view of 3GPP TS22.228. It is believed that the Office intended to indicate at page 5 that claims 1-11 were so rejected.

Claim 1 recites a step in which in response to an AV request message sent to an HSS by a S-CSCF of an IMS, the HSS provides, in a AV request response message, a field indicating a list of services to which the UE is subscribed along with either information that allows establishing SAs for each such service or information that could be used as keying material or other input for other security mechanisms specific to each service. The Office notes that 3GPP TS 33.203 does not disclose such a step, but cites 3GPP TS 22.228, at §7.3, as disclosing such a step. Applicant's attorney sees in §7.3 what is apparently a teaching of a requirement on "capability negotiation" to be satisfied when implementing an IMS. The cited section (7.3) reads, in full:

The IP multimedia applications shall be able to negotiate their capabilities to identify and select the available

media components, QoS etc. of IP multimedia sessions. It shall be possible for the capability negotiation to take place on invocation, acceptance and during an IP multimedia session (e.g. following a change in UE capabilities, change in media types etc.). Capability negotiation may be initiated by the user, operator or an application on behalf of them.

In order to support the user's preferences for IP multimedia applications, the capability negotiation shall take into account the information in the user profile whenever applicable.

This is a requirement that e.g. a user, at invocation of a session or even in the middle of a session, ought to be able to negotiate or renegotiate capabilities/ attributes associated with the session, such as quality of service (QoS). The "capabilities" being "negotiated" are the capabilities the user equipment has and the capabilities the IMS has (for use in providing IM services). Besides a user asking for a QoS from the IMS in providing a service subscribed-to by the user, the IMS and the user equipment must agree on a modulation and coding scheme, as well as other aspects of the communication. The "capabilities" being negotiated are not the IM services referred to in the rejected claims, i.e. IM services to which a UE may or may not be subscribed. Such services are referred to in section 7.1, not section 7.3. And section 7.1 notes only that: "There is no requirement to support standardized subscription mechanisms for IP multimedia applications." Thus, it cannot fairly be said that TS 22.228 teaches or suggests a step of communicating a list (or a field indicating such a list) of services to which a UE is subscribed, let alone communicating such a list along with either information that allows establishing SAs for each such service or information that could be used as keying material or other input for other security mechanisms specific to each service, let alone providing such a list and related information in an AV request response message.

The same argumentation applies to the rejections of all the other independent claims.

Accordingly, applicant respectfully requests that the rejections under 35 USC §103 be reconsidered and withdrawn.

Conclusion

For all the foregoing reasons it is believed that all of the claims of the application are in condition for allowance and their passage to issue is earnestly solicited. Applicant's attorney urges the Examiner to call to discuss the present response if anything in the present response is unclear or unpersuasive.

Respectfully submitted,



James A. Retter

Registration No. 41,266

tel: (203) 261-1234
Cust. No.: 004955

Sept. 8, 2005

Date

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
755 Main Street, P.O. Box 224
Monroe, CT 06468-0224